

Constitution of District Level Coordination Committees and Review Committee at State Level for fast-tracking of criminal trials against sitting MLAs, MLCs and MPs.

**Government of Maharashtra
Home Department**

Government Resolution No. Misc-0714/C.R. 134/SPL-1A

World Trade Centre, Cuffe Parade, Mumbai-400 005

Date: 11th September, 2014

Read -

- 1) Judgment dated 10.03.2014 of the Hon. Supreme Court of India in WP (Civil) No. 536/2011 in Public Interest Foundation & Others v/s UoI and another.
- 2) Ministry of Home Affairs, Government of India's letter No. IV/15012/4/2014 CSR.II, dated 24.06.2014.

Background -

In Writ Petition (Civil) No. 536/2011 in Public Interest Foundation & Others v/s UoI and another, Hon'ble Supreme Court has directed on 10th March, 2014 that in relation to sitting MPs and MLAs who have charges framed against them for the offences which are specified in Section 8(1), 8(2) and 8(3) of the Representation of the People Act, 1951, the trial shall be concluded as speedily and expeditiously as may be possible and in no case later than one year from the date of the framing of charge(s). In such cases, as far as possible, the trial shall be conducted on day-to-day basis. If for some extraordinary circumstances the concerned Court is being not able to conclude the trial within one year from the date of framing of charge(s), such Court would submit the report to the Chief Justice of the respective High Court indicating special reasons for not adhering to the above time limit and delay in conclusion of the trial. In such situation, the Chief Justice may issue appropriate directions to the concerned Court extending the time for conclusion of the trial.

Taking into consideration, the above directions of the Hon'ble Supreme Court, Ministry of Home Affairs, Government of India has directed to constitute a District Level Coordination Committee in each district for monitoring such cases.

Resolution

In pursuance of the directions of the Ministry of Home Affairs, Government of India, the Government of Maharashtra hereby constitutes District Level Coordination Committee in each district for monitoring fast-tracking of criminal trials against sitting MLAs, MLCs and MPs as under.

District Level Coordination Committee :

1) Principal District Judge / District Judge I	- Chairperson
2) District Magistrate	- Member
3) District Public Prosecutor	- Member Secretary

The above Committees shall create and update the list of all such cases pending trials against sitting MLAs, MLCs and MPs against whom charges have been framed for offences which are specified in Section 8(1), 8(2) & 8(3) of the Representation of the People Act, 1951.

In case, there is a trial pending for more than one year, the Chairperson of this Committee shall send a report to the Chief Justice of the respective High Court indicating special reasons for delay in connection of trial. A copy of the same shall be send to the Secretary, Home (Special).

A committee under the Chairmanship of the Additional Chief Secretary (Home) is also constituted for the review of such cases at regular intervals at the State level as under :

Review Committee at State Level :

1) Additional Chief Secretary (Home)	- Chairperson
2) Principal Secretary (A & S)	- Member
3) Principal Secretary, Law & Judiciary Dept.	- Member
4) Secretary, Home (Special)	- Member
5) Director of Prosecution	- Member Secretary

This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is 201409111820097429. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

(Charushila Tambekar)

Joint Secretary to Government of Maharashtra

To:

1. The Registrar General of the High Court, Bombay (by letter)
2. Principal Secretary to Hon'ble Chief Minister
3. Home Secretary, Government of India.
4. P.S. to the Home Minister, Maharashtra State, Mumbai.
5. Sr. P.A. to Chief Secretary, Maharashtra State, Mumbai.
6. Addl. Chief Secretary (Home), Home Department, Mumbai.
7. Principal Secretary (Appeal and Security), Home Department, Mumbai.
8. Principal Secretary, Law and Judiciary Department, Mumbai.
9. Secretary (Special), Home Department, Mumbai.
10. All Principal District Judge.
11. Director of General of Police, Maharashtra State, Mumbai.
12. All Divisional Commissioner. (Revenue)
13. All Commissioner of Police.
14. All Range Inspector General of Police.
15. All District Collector.
16. All District Superintendent of Police.
17. All Joint Secretary/Deputy Secretary, Home Department, Mumbai.
18. Select file (Special – 1A)